

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

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MINUTES OF MEETING

May 4, 2006

(Approved June 1, 2006)

Members Present: Edward Murdough, Carl Roediger, David Duquette, Stephen Carrier, Kevin Pratt, Al Burbank, John Hoglund, Peter Russell, Joseph Butts, George Sykes, J. William Degnan, Richard Mason.

Members Absent: Earl Sweeney, Karen Schlitzer, Brad Simpkins, Michael Williams.

Others Present: *Division of Fire Standards & Training and Emergency Medical Services*—Dennis Rosolen, Bureau Chief; Jeff Phillips, Bureau Chief; Heather Newland, Recording Secretary; Chris Silver, Hampton Fire Department; Marta Modigliani, Department of Safety.

I. CALL TO ORDER

Item 1. Call to Order. The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair David Duquette at 10:07 a.m. on Thursday, May 4, 2006 at the Richard M. Flynn Fire Academy, 222 Sheep Davis Road, Concord, NH. The Pledge of Allegiance was recited.

II. PUBLIC HEARING

Chair David Duquette introduced Marta Modigliani, attorney from the Department of Safety. Attorney Modigliani conducted the Public Hearing regarding Waivers in the Administrative Rules.

Attorney Modigliani started the Public Hearing at 10:08 a.m. on 704 Waiver Rules, RSA 541-A:11. As there were no speakers, she recessed the Public Hearing for 30 minutes.

At 10:40 a.m., the floor was given back to Attorney Modigliani. As no one from the public came to speak, the public hearing was closed.

III. APPROVAL OF MINUTES

Item 1. April 13, 2006. *Motion* was made by Commissioner Burbank, seconded by Commissioner Roediger, to approve the Minutes of the April 13, 2006 Commission Meeting. Motion passed unanimously.

IV. CHAIR'S REMARKS

Chair Duquette attended the Fire Instructors Conference in Indianapolis. There were over 4,000 people in attendance. One instructor continuously made off color remarks that were inappropriate. It is nice to know that type of behavior doesn't happen here any more.

V. COMMITTEE REPORTS

Item 1. Emergency Medical Services. Chair Duquette gave the report for Emergency Medical Services.

Item 2. Fire Marshal's Office. Director Degnan gave his report for the Fire Marshal's Office.

Item 3. Forest Protection Bureau. Commissioner Simpkins was absent. No report was given.

Item 4. Curriculum Review. Chair Duquette reported that the Curriculum Status Report is in each Commission member's packet and is as follows:

- (a) **Driver/Operator:**
 - (1) Pumps:
Class scheduled in Franklin in March and April.
 - (2) Aerial Apparatus:
The visiting committee has met recently and are looking at the IFSTA curriculum to supplement Dave Duquette's program which will then be updated.
 - (3) All Vehicle:
We are currently looking for places to hold the practical portion as this is becoming difficult to offer because of the lack of space to hold the driver practical.

- (b) **Hazardous Materials:**
 - (1) Operations:
 - (2) Technician:
Class scheduled in Gorham is completed.
 - (3) The Decontamination program is being reviewed at this time and are looking at the Vermont program. This will be presented possibly in April.
- (c) **Aircraft Rescue & Fire Fighting:**
Spring part 139 8- hour programs have begun.
- (d) **NFPA 1030 Series:**
 - (1) NFPA 1031, Standard for Professional Qualifications for Fire Inspectors and Plan Examiners:
Inspector II Visiting Committee has started the process. The first three days will be cognitive and class activities, and the last two days will cover Citations.
 - (2) NFPA 1033, Standard for Professional Qualifications for Fire Investigator
committee is very close in finishing their curriculum and are estimating to come before the Commission's curriculum committee soon.
 - (3) NFPA 1035, Standard for Professional Qualifications for Public Fire and Life Safety Educator:
Will probably follow the 1033 standard.
- (e) **Rescue Series:**
 - (1) Structural Collapse:
No pilots scheduled as yet. It was learned that Rope, Trench, Confined Space, and Vehicle/Machinery Extrication are necessary to have before Structural Collapse can be offered according to the standard.
 - (2) Confined Space:
A confined space trailer is in the process of being purchased from Mike Carrier of Merrimack Fire at this time. A confined space class will be scheduled for Nashua this winter/spring.
 - (3) Technical Rope Rescue:
Curriculum was approved at the May 5, 2005 Commission meeting. We may be sending visiting committee members out to CMC for training and come back to do TtT's.
Still working on getting the CMC TtT.

(4) Trench Rescue:

Chair Duquette introduced Instructor Chris Silver from the Hampton Fire Department to present the proposed curriculum for Trench Rescue.

On behalf of the Trench Rescue Visiting Committee, Instructor Silver proposed the Jones and Bartlett Trench Rescue curriculum.

After presenting, Instructor Silver took questions. Commissioner Burbank asked where we were on instructors. Instructor Silver stated the first pilot Train-the-Trainer would be used to teach the instructors. A small core group were already trained, but we need to build the instructor base, as it is a specialized area. Instructor Silver did say it follows the OSHA standards.

Chief Phillips asked how many students per class. Instructor Silver stated the ratio of students to instructors would be 6-1, with a maximum of 24 students per class.

Commissioner Butts indicated he taught the program in Manchester last week, and it is an excellent program.

Chair Duquette expressed concern of people saying they received certification, but didn't get their feet dirty. Instructor Silver stated the instructors have a big responsibility to meet the requirements of the program. Vice Chair Carrier asked how that is handled in other rescue curriculums. Chief Rosolen indicated, because of the way the program is run, a lot is team work. There are check sheets in the curriculum.

Motion was made by Vice Chair Carrier, seconded by Commissioner Burbank, to approve the Jones and Bartlett Trench Rescue curriculum as presented with two pilots, one in the field and one at the Academy. Motion passed unanimously.

(5) Water Rescue/Ice:

Four instructors will be attending a 3-day TtT on February 17-19 to return to present the program for review.

(f) NFPA 1001 Firefighter I and Firefighter II:

(g) NFPA 1021 Fire Officer:

A spring class was scheduled here in March and April and was very successful.

(h) NFPA 1041 Instructor:

An Instructor III class has just started in Salem.

- (i) NFPA 1051 Wildland Firefighter:
Doing well at this point..
- (j) C2F2
The April class is completed and one scheduled for recruit school in June.
- (k) ICS/NIMS
Starting to regionalize these programs for more effective and economical delivery.

Item 5. Hiring Practices Committee. Commissioner Burbank stated he spoke with Chief Chris Pope. Chief Pope has completed his program, and he will visit the Commission soon.

VI. REPORT OF THE DIRECTOR

With only three weeks passing since our last meeting there are not a lot of new topics to discuss. We maintain our busy spring schedule however.

1) MANCHESTER RECRUIT GRADUATION

Manchester is graduating their Spring Recruit School Friday night. With the size of Manchester Fire Department, this is becoming a semi-annual event.

2) RECRUIT SCHOOL STATUS

We are currently in week #5, so Firefighter II will begin on May 15 and C2F2 will begin on June 5 with a graduation on June 16.

3) VIP STIPENDS

We have been awarded two - \$500 stipends for attendance at the National Fire Academy, Volunteer Instructor Program. This grant is administered through the NH Association of Fire Chiefs and is presented by the National Volunteer Fire Council. We will be advertising these stipends in our newsletter and our website.

4) ACADEMY AWARDS

The deadline is nearing for the 2006 Academy Awards in November. The deadline is July 1, 2006 to submit nominations for the Academy Awards and for the Fire Service Award of Excellence

5) PRICING OF COURSES

We are currently reviewing the costs of our courses and developing a matrix to assure we develop costs using the same method. We look at July 1 as the implementation date for new fees. We have not made changes in a couple years. Thanks to Chief Phillips for heading this process.

Director Mason stated this is currently in the Commissioner's office for approval.

6) **TRADE**

Training Resource and Data Exchange, Region I meets in Manchester today and tomorrow. Chiefs Rosolen and Phillips will be attending with me. This is a good opportunity to meet with our New England peers and exchange information.

Other items:

The North American Fire Training Directors are having this year's meeting in October in New York. The October 2007 meeting will be held in New Hampshire. We are currently looking in the Portsmouth area.

Director Bill Brown from the National Registry will be here in two weeks.

Many different states have asked us about our Visiting Committees. New Hampshire is being used as a model around the country.

VII. OLD BUSINESS

Item 1. Hiring Transfer Rule.

Director Mason discussed the hiring transfer rule 703.01 under Administrative Rule. He stated this is the third meeting on this. He stated this was in regards to a certain individual working temporary full time mentioned in March 2, 2006 minutes.

Director Mason indicated the person in question is classified in our rules as a full time employee. He is hired on a department full time temporary due to making over \$20,000.

Director Mason indicated Commissioner Schlitzer could not be here today, but she sent an email to him on this issue. Director Mason shared Commissioner Schlitzer's opinion on the matter. A person must meet 701.02 before they can be eligible to transfer under this rule. The only exception would be if the person was laid off and then hired within a year. Director Mason indicated he agrees with Commissioner Schlitzer's opinion. Director Mason stated no action needed to be taken. He will tell the individual this afternoon.

There was a short discussion on this.

Item 2. Lapse in Transfer Time.

Director Mason stated he also spoke with Commissioner Schlitzer on this issue. Transfer is not defined in Administrative Rules. If you leave one department and have a position lined up in another, that's a transfer. The Division follows that. Director Mason indicated the Division asks the hiring fire chief to send us a copy of the letter of hire. Director Mason gave some examples of this.

Director Mason indicated there are two choices; follow the common terminology or ask Attorney Modigliani here today to stay if we want to define transfer. Chair Duquette indicated if we have a letter saying how long the time line is, he would agree with that.

Commissioner Roediger indicated there are two issues. If you look at transfer from one department to another, you need to somehow define the ticket that leaves one place going to another. The other issue is someone who says he doesn't want to work anymore and looks somewhere else. We need to define the time that certification is still good for. Chair Duquette stated this is already addressed in break of service. Commissioner Roediger indicated there needs to be some understanding of transfer of service. Certification for the Division doesn't go away. Chair Duquette indicated that's the issue, once you leave NH Retirement System, you're done.

Commissioner Burbank stated he discussed this issue with the association he represents. He stated the association wants the issue addressed. Maybe minimum of one year, maximum of two years. His association feels it should be defined and he concurs.

Chief Phillips stated if you leave a department and you are C2F2 certified, you still are C2F2 certified. They need to meet the current standard when they come back in. The Division doesn't pull their C2F2 certification when they leave.

Commissioner Sykes encouraged the Commission to look at this to come up with rules that are fair and can be applied.

Chair Duquette stated currently we leave it alone. The issue is we need to define when a person leaves employment, a time line needs to be defined. Chair Duquette requested a committee be established to look into this. Commissioners Sykes, Roediger, Burbank, Pratt and Duquette volunteered for the committee.

Item 3. I-93 Project. Commissioner Murdough stated the planning group report was not published yet. He stated the federal money is being reduced. The project may only go as far as Windham. He will keep everyone informed.

Item 4. Firefighters' Memorial Brick. Commissioner Carrier reported everyone paid for the brick. However, if we added Chair Emeritus Henry Munroe and Commissions Chaplin Charles Chalk, it would create another brick. It would be an extra \$6.00 to \$7.00 for the larger brick. It was discussed and decided to include them and go with larger brick.

Item 5. 704.01 Waiver Rules. Marta Modigliani discussed the rules. The substance of the rules are the same.

Motion was made by Commissioner Russell, seconded by Commissioner Butts, to approve the 704 Waiver as amended to read as follows:

Adopt Part Fire 704 to read as follows:

PART Fire 704 WAIVERS

Fire 704.01 Request for Waiver.

(a) An agency may make a written request to waive any of the minimum selection, educational, and training standards for fire service personnel. The request shall be made within 30 days of the employment date for an employment position.

(b) The request shall specify:

- (1) What rule or rules for which a waiver is requested;
- (2) The reason for waiver request;
- (3) The information and signature required on "Form A" in Fire 601.01;
- (4) The current position description; and
- (5) The description of responsibilities relating to emergency response and/or mitigation.

(c) Waiver requests that do not meet the requirements of this rule shall be returned to the agency with a written explanation. An agency may resubmit a waiver request but it shall not stay the tolling of the 30 days set forth in (a) above.

Fire 704.02 Determination of Waiver.

- (a) The Commission shall grant a request for a waiver if it determines that the fire service position specified in Fire 704.01 does not include emergency response and mitigation as its predominant responsibilities.
- (b) The Commission shall deny a request for a waiver if:
 - (1) The request is untimely; or
 - (2) The Commission determines that the fire service position specified in Fire 704.01 includes emergency response and mitigation as its predominant responsibilities.
- (c) Anyone aggrieved by a determination by the Commission may request a hearing pursuant to Fire 200.

Fire 704.03 Duration of Waiver. When a waiver is granted, it shall only be valid while the employee granted a waiver in Fire 704.01 is employed in that said position.

Motion passed unanimously.

VIII. NEW BUSINESS

Item 1. EMT Continuing Education Training Programs.

Commissioner Sykes stated he was curious why EMS hasn't been integrated into the Division in regards to continuing education.

Director Mason indicated of the 190 hours in Firefighter I, about 170 hours would meet the EMS continuing education. He stated he can look into identifying this in class announcements.

IX. GOOD OF THE ORDER

Item 1. Newsletters. Chair Duquette proposed that a list of Commission members be posted in the Fire & EMS Newsletter. Chief Phillips stated the Division is always looking for articles to put in the newsletter.

Commissioner Burbank indicated the Firemen's Association has put out a bi-annual newsletter. He's also looking for material to put in that newsletter.

X. ADJOURNMENT

Motion was made by Commissioner Pratt, seconded by Commissioner Burbank, to adjourn at 11:30 a.m. Motion passed unanimously.

Respectfully submitted,

Richard A. Mason, Director

Items distributed at meeting:

1. Agenda 05/04/06
2. Minutes of Meeting – 03/02/06 – Approved 04/13/06
3. Curriculum Status Report 05/04/06
4. Minutes of Meeting – 04/13/06 – Not Approved
5. Director's Report #101—May 4, 2006
6. Number of Personnel Certified in NH 07/01/05 to 05/03/06
7. Final proposal of 704 Waivers

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